



PATENT

I hereby certify that this document is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 15th day of January, 2004.

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Jennifer L. Tucker
Jennifer L. Tucker

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Gerald Goertzen et al.

Serial. No.: 10/695,045

Filed: October 27, 2003

Attorney Docket No.: 12873/04325

For: **Suspension With Releasable Locking System**

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION UNDER 37 CFR 1.10(c) TO ACCORD APPLICATION A FILING DATE AS
OF THE "EXPRESS MAIL" "DATE-IN"**

Dear Sir:

In reviewing the postcard with the U.S. Patent and Trademark Office date stamp thereon and the Patent Application Information Retrieval system, Applicant noticed a discrepancy between the filing date accorded by the Office and the date of deposit as shown by the "date-in" on the "Express Mail" mailing label. The postcard with the U.S. Patent and Trademark Office date stamp thereon indicates the receipt date for the filed documents is October 28, 2003. The date of deposit as shown by the "date-in" on the "Express Mail" mailing label is October 27, 2003. Accordingly, Applicant petitions the Office to correct the application filing date so as to be the "date-in" on the "Express Mail" mailing label.

As required by 37 CFR 1.10(c), applicant has filed this petition promptly after becoming aware that the Office has accorded a filing date other than the United States Postal Service (USPS) deposit date. Further, Applicant includes with this petition:

1. A true copy of the "Express Mail" mailing label, number EL084751960US, showing the "Date In" as October 27, 2003.
2. A true copy of the first two pages of the papers that constitute the correspondence prior to the original mailing by "Express Mail" that show that the number of the Express Mailing label was placed thereon.
3. A true copy of the postcard with the U.S. Patent and Trademark Office date stamp thereon which demonstrates the noted date discrepancy.
4. A copy of the Express Mail Daily log which the law firm maintains to verify such deposits with the USPS.

Applicant does not believe any fee is associated with a petition under 37 CFR 1.10(c). If this is not the case, the Patent Office is hereby authorized to charge any related fee to Deposit Account No. 03-0172. If there are any questions regarding this Petition, please telephone the undersigned.

Respectfully submitted,

Date: Jan. 15, 2004

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12873/04325 76A PFLC

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SUSPENSION WITH RELEASABLE LOCKING SYSTEM

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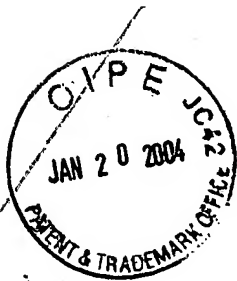
Sullivan, Ohio 44880

Certificate of Mailing

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Signature Robert Watts

Printed Name: Robert Watts



SUSPENSION WITH RELEASABLE LOCKING SYSTEM

CROSS-REFERENCES TO RELATED APPLICATIONS

[0001] This application claims priority from Provisional US Patent Application Serial No. 60/421,178, filed October 25 2002, and is a continuation-in-part of US Patent Application Serial No. 10/643,010, filed on August 18, 2003 and titled "Vehicle having An Anti-Dive/Lockout Mechanism," both of which are hereby fully incorporated by reference.

FIELD OF THE INVENTION

[0002] The invention relates generally to conveyances and, more particularly, to motorized conveyances such as wheelchairs and scooters and the like having mid-wheel drives with suspension stability systems.

BACKGROUND OF THE INVENTION

[0003] Wheelchairs and scooters are an important means of transportation for a significant portion of society. Whether manual or powered, these vehicles provide an important degree of independence for those they assist. However, this degree of independence can be limited if the wheelchair is required to traverse obstacles such as, for example, curbs that are commonly present at sidewalks, driveways, and other paved surface interfaces. This degree of independence can also be limited if the vehicle is required to ascend inclines or descend declines.

[0004] In this regard, most wheelchairs have front and rear casters to stabilize the chair from tipping forward or backward and to ensure that the drive wheels are always in contact with the ground. One such wheelchair is disclosed in US Patent No. 5,435,404 to Garin. On such wheelchairs, the caster wheels are typically much smaller than the driving wheels and located both forward and rearward of the drive wheels. Though this configuration provides the wheelchair with greater stability, it can hamper the wheelchair's ability to

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EL084751960US, addressed to: Mail Stop PATENT APP, Commissioner for Patents, P.O. Box
1450, Alexandria, VA 22313-1450, this 27th day of October, 2003.

Re: U.S. Patent Application
Inventor(s): Gerald Goertzen et al.
For: SUSPENSION WITH RELEASABLE LOCKING SYSTEM
Docket No. 12873/04325

17497 U.S. PTO
10/695045



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Please acknowledge receipt of the following:

- Utility Patent Application Transmittal (1 pg.); Fee Transmittal (1 page)
- Specification (26 pages); Claims (3 pages); Abstract (1 page)
- Drawings (27 pages)
- Unexecuted Declaration and Power of Attorney (2 pages)
- Information Disclosure Statement w/ PTO Form 1449 (2 pages) and foreign references
- Check in the amount of \$770.00
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{DXH4376.DOC;1}

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